

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, April 26, 2016
7:00 PM**

1. CALL TO ORDER, MAYOR SCOT SASSER

Mayor Scot Sasser called the meeting to order at 7:08 p.m. Also present were Vice Mayor Mark Brown, Commissioner Buz Oldaker, Commissioner Elliot Sokolow, Commissioner Chris Vincent, Town Manager Bud Bentley, Assistant Town Manager Tony Bryan, Development Services Director Linda Connors, Town Attorney Susan L. Trevarthen, Municipal Services Director Don Prince, Special Projects Coordinator Debbie Hime, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Smith.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. NSU Staghorn Coral Restoration Project (Steve D'Oliveira, Public Information Officer)

Public Information Officer Steve d'Oliveira updated the Commissioners on Nova Southeastern University's staghorn coral restoration project. The Town signed a five-year contract in 2014 that requires the planting of 2000 staghorn corals off the coast.

Coral reefs provide shoreline protection for coastal cities such as Lauderdale-By-The-Sea. Staghorn coral is presently at 3% of its historic abundance. Fragments were transplanted to sites off the Town's coast in 2016 in approximately 18 ft. of water. The overall survival rate at all four staghorn sites is 80%. More plantings will occur over the summer and fall. Lauderdale-By-The-Sea is the northernmost site on the planet for transplanted staghorn coral.

Brief videos of the planting process were shown. The project will be prominently featured on the "Scuba Nation" television show in May. Mayor Sasser encouraged all residents

who are divers to visit the sites. If it is the Town's desire, they may be able to enter into an additional contract after the current five-year contract has expired.

Public Information Officer d'Oliveira and Vice Mayor Brown are also working on an application to the Florida League of Cities for an environmental sustainability award, which would include the Town's recycling, sea oats planting, and staghorn coral restoration programs.

6. PUBLIC COMMENTS

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

7. PUBLIC SAFETY DISCUSSION

a. VFD March Report (Chief Judson Hopping)

Volunteer Fire Department (VFD) Chief Judson Hopping noted that the VFD held its first annual Pancake Breakfast the previous weekend, and thanked all involved for their assistance. Over 120 residents attended the event, which raised over \$1000.

Commissioner Vincent made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

8. TOWN MANAGER REPORT

a. March Finance Report (Tony Bryan, Assistant Town Manager)

Assistant Town Manager Tony Bryan advised that the search is underway for a new Town Finance Director.

The Commissioners accepted the report without discussion.

b. Town Manager Report (Bud Bentley, Town Manager)

Town Manager Bud Bentley reported that the street resurfacing project is expected to begin in May. A report on vacation rentals will be presented at the next regular Town Commission meeting.

Mayor Sasser requested an update on neighborhood grant projects. Municipal Services Director Don Prince stated that the Town has received two grant applications, which will be discussed in greater detail at future Commission meeting. Mayor Sasser requested that a brief synopsis be attached to the Town Manager Report in the future.

Commissioner Sokolow requested an update on the status of projects by the Florida Development Group. Development Services Director Linda Connors replied that the Town is working with Plunge, which must submit an administrative site plan amendment for their building. Significant structural issues with the former Captain's Quarters site have delayed that project.

The Florida Development Group has focused most of its attention on these two properties rather than the additional properties to the south. It was noted that a construction fence has been removed from the former Holiday Inn property, as there is currently no construction activity on that site. Fines continue to accrue on the Holiday Inn and Villa Caprice properties daily, and there are violations on the vacant lot which must be addressed before the Florida Development Group may move forward with a building permit. Town Staff meets monthly with the property owner's representative.

9. TOWN ATTORNEY REPORT

Town Attorney Susan Trevarthen requested that an Executive Session be scheduled at a future date with regard to the Palm Yacht & Beach Club litigation.

10. APPROVAL OF MINUTES

- a. April 12, 2016 Commission Workshop Minutes (Tedra Smith, Town Clerk)**
- b. April 12, 2016 Town Commission Meeting Minutes (Tedra Smith, Town Clerk)**

Commissioner Vincent made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

11. CONSENT AGENDA

- a. 2016 Amendments to the Inter-local Agreements between Broward County and the Town of Lauderdale-By-The-Sea providing for the Division and Distribution of the proceeds of:**
 - i. Local Option Gas Tax Imposed by the Broward County Local Gas Tax Ordinance,**
 - ii. Additional Local Gas Option Tax on Motor Fuel Ordinance, and**
 - iii. Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit**

- b. Payment to Town Manager upon Separation (Tony Bryan, Assistant Town Manager)**
- c. Authorization to Finance Improvements at 2011 Coral Reef Drive (Maller / Bisso) (Bud Bentley, Town Manager)**

Commissioner Sokolow made a motion, seconded by Commissioner Vincent, to approve. Motion carried 5-0.

12. OLD BUSINESS

- a. Status Report on the Oceanfront Restroom Project and South Ocean Parking Lot Project (Bud Bentley, Town Manager)**

Town Manager Bud Bentley stated that the project's gross maximum price (GMP) has been reduced to \$486,311 through value engineering and reduced costs. The center median island was removed from the parking lot plan in order to provide flexibility for valet service and reduce drainage. Changes to the restroom lot are listed in the backup materials and include replacing pavers with concrete and additional landscaping.

Commissioner Vincent, who has acted as the Commission's liaison for the project, reported that he felt the project can be reduced to a range either within or only 2%-3% over budget.

At this time Mayor Sasser opened public comment.

Edmund Malkoon, resident, pointed out that several alleyways in the subject area were designed to preserve pedestrian access and view corridors from Bougainvillea Drive to the ocean. He expressed concern with the layout of the oceanfront restroom project, which would feature backout parking in the alleyway. He recommended that the project include access to El Mar Drive.

With no other individuals wishing to speak on this Item, Mayor Sasser closed public comment.

The Commissioners discussed the project further, including alternative types of restroom facilities. Vice Mayor Brown noted the importance of the restroom project to the Town's special events. Commissioner Sokolow added that while he had not been in favor of the site or the design, the Town should now proceed with construction of the project. Commissioner Vincent pointed out that changing the direction of the alleyway would result in a heavily used cut-through area.

Town Manager Bentley advised that if the project is approved at tonight's meeting, the construction period will be approximately five months. It was clarified that State

Contracting could complete both the restroom and parking lot projects by November 2016.

Commissioner Vincent made a motion, seconded by Commissioner Sokolow, to approve as read, with a GMP of \$486,311 for 4345 El Mar Drive Project and \$168,977 for the South Ocean Parking Lot, with the appropriate Town officials authorized to execute contact documents. Motion passed 5-0.

13. NEW BUSINESS

a. Application for Relief of Code Enforcement Lien at 1900 E. Terra Mar Drive (Linda Connors, Development Services Director)

Development Services Director Connors stated that the property first came before the Commission in September 2015 after it was cited for exceeding the construction time limits. The Town granted an extension, with the certificate of completion to be issued in February 2017. This stopped the daily fines. The property was in violation for 215 days for a total of \$67,750, which was calculated based on the application of Code fees before the fee structure was changed. The property owner does not agree with the time frame or the number of days in violation, but did not contact a Code Officer as required.

The Town's mitigation policy requires that a criteria be established regarding the nature and gravity of the violation. Actions taken by the owner exceeded renovation requirements due to structural damage to the property and accrued a cost of \$400,000. The project's original contractor was replaced after abandoning the project. The owner states that he hired extra workers and paid significant overtime in an attempt to complete the project. The permit fee was not adjusted, and fees are based on the stated job cost value, which means an adjusted job value cost would have resulted in higher fees.

Since 2012, the subject property has been cited nine times for maintenance violations and signage in addition to the construction time limit violation. There are no current violations on the property and the owner has no other properties within the Town.

The Town has calculated the fees to be \$19,250 under the recently amended fee structure, with an administrative fee of \$150. The Applicant has offered to pay \$1515, which would be 7.1% of the fine (including the administrative fee). Under the previous fee structure, which was in place when the violation began, \$1515 would constitute 2% of the \$67,750 fine.

Michael Armstrong, Applicant, offered to provide documents in relation to the case if necessary. The property is his permanent residence and is homesteaded. He explained that two hardships led to the violation: abandonment by the original contractor, who is currently under criminal investigation in Broward County, and the structural remediation required by the project. He showed pictures of the subject property, including several structural defects that resulted in extension of work hours.

Mayor Sasser stated that he would recuse himself from voting upon the Item, as he lives within 150 yards of the subject property. He noted that he may still participate in discussion of the Item.

Mayor Sasser confirmed that following the extension granted by the Town Commission, there has been significantly more work done to improve the property. Commissioner Vincent added that residents of the Terra Mar neighborhood have expressed their approval of the Applicant's progress to him as well. He confirmed that unforeseen delays to projects of this nature are common.

Commissioner Oldaker observed that mitigation should consider fees that were not paid with regard to additional work on the property in addition to the accrued fines. Development Services Director Connors advised that the original project was estimated at \$27,000; however, when the project expanded significantly, the appropriate permit fees were not requested. Commissioner Vincent noted that these fees are typically paid up front.

Vice Mayor Brown pointed out that the property constituted a nuisance in the neighborhood for quite some time, and concluded that he could not be in favor of waiving the entire fine for this reason.

Commissioner Vincent made a motion, seconded by Commissioner Sokolow, to approve a mitigation amount of \$1665 (\$1515 as well as the \$150 administrative fee). Motion passed 4-0 (Mayor Sasser recused).

Mayor Sasser asked that Town Staff follow up with the Building Department to determine why the appropriate fees were not requested when permits were issued.

b. Appointment of Town Representative to the Southeast Florida Coastal Ocean forum (Tedra Smith, Town Clerk)

Commissioner Vincent made a motion, seconded by Commissioner Sokolow, to nominate Mayor Sasser. Motion carried 5-0.

14. COMMISSIONER COMMENTS

Commissioner Oldaker stated that he is working closely with Special Projects Coordinator Debbie Hime on the Town's upcoming 4th of July celebration.

Vice Mayor Brown advised that another sea oats planting project will be held on Saturday, April 30, 2016. The event is sponsored by JM Family Enterprises. He also noted that he visited Washington, D.C. in conjunction with the Broward Metropolitan Planning Organization (MPO) to lobby for transportation funding in Broward County. He is working with the MPO in a regional capacity in addition to his efforts for Lauderdale-By-The-Sea.

15. ORDINANCES – PUBLIC COMMENTS

a. Ordinances 1st Reading

None.

b. Ordinances 2nd Reading

- i. Ordinance 2015-17 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 5, “BEACHES AND WATERWAYS,” BY AMENDING SECTION 5-1, “DEFINITIONS,” TO CLARIFY THE DEFINITION OF WATERCRAFT; AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-11, “DEFINITIONS,” TO PROVIDE DEFINITIONS RELATED TO MARINA USES; BY AMENDING DIVISION 2, “DISTRICTS,” OF ARTICLE V, “ZONING,” TO RENAME SUBDIVISION G, “BUSINESS ZONING DISTRICT REGULATIONS,” TO “B-1-A DISTRICT REGULATIONS,” TO DELETE SECTION 30-260 TO ELIMINATE DUPLICATION, TO AMEND SECTION 30-261, “B-1-A DISTRICT—BUSINESS,” TO REORGANIZE REQUIREMENTS FOR CONDITIONAL USES, AND TO AMEND SECTION 30-271, “B-1 DISTRICT—BUSINESS,” TO CORRECT REFERENCES AND PROVIDE FOR PERMITTED USE OF MARINAS, IDENTIFY SPECIFIC REQUIREMENTS FOR MARINA USES, AND REORGANIZE REQUIREMENTS FOR CONDITIONAL USES; BY AMENDING SECTION 30-311, “BOATS, BOAT LIFTS, BOATHOUSES AND ANCHORAGE,” TO AMEND AND CLARIFY THE REQUIREMENTS FOR DOCKING AND MOORING OF WATERCRAFT AND PROVIDE A PROCESS AND REQUIREMENTS FOR THE DESIGNATION OF MARINA MOORING AREAS; BY AMENDING SECTION 30-318, “MINIMUM PARKING REQUIREMENTS,” TO MODIFY PARKING REQUIREMENTS FOR MARINAS IN YACHT BASINS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Linda Connors, Development Services Director)

At this time Mayor Sasser opened public comment.

Ed Ellis, resident, stated that the marina is a blight on the community and must be redeveloped correctly. He felt its sewer system must include in-slip pumping capability that is accessible to the public, as well as a public restroom open to individuals working

on their boats. Mr. Ellis also believed the community would be better protected by conditional use approval of the marina, which would allow the Commission to more closely regulate the facility.

With no other individuals wishing to speak on this Item, Mayor Sasser closed public comment.

Development Services Director Connors noted that Staff recommends clarifying the language in line 118 of the proposed Ordinance by adding the phrase "...or dock the watercraft to mooring structures."

The Commissioners discussed the proposed Ordinance, with Commissioner Vincent advising that the Item be deferred until more information is available on how to address the need for a pump-out station. Development Services Director Connors recalled that at a previous meeting, the Commission was strongly in favor of requiring a site plan approval of the marina. At the same meeting, the community expressed a clear preference for the marina to include a pump-out facility, although they did not want this facility to be open to the public, which meant grants from the State would not be available for the marina's redevelopment.

Staff felt the necessary details of a pump-out station could be flushed out as part of the site plan process, which would involve review by the Planning and Zoning Board as well as final Commission approval. Development Services Director Connors concluded that Staff recommends language regarding a pump-out station be included in the site plan process, which will ultimately be decided by the Commission.

Vice Mayor Brown agreed with Mr. Ellis's perception of the marina, and felt the Commission must address these issues. He noted, however, that a solution would rely on boat owners' ability to pump their vessels properly without assistance from a marina representative. Development Services Director Connors confirmed that this was a valid concern, and agreed that Staff must have more information about the proposed pump-out equipment as part of the site plan review process.

Vice Mayor Brown asked if it would be sufficient for the Town to rely on the availability of a public restroom at the marina. Development Services Director Connors replied that this would be an issue for the Commission to decide, pointing out that the public restroom would be part of a private facility.

Town Attorney Trevarthen explained that the Item before the Commission would create the legal right for the marina to submit a site plan application, which would address the many questions raised by the Commission regarding the facility. In reviewing the site plan, the Commission would then determine if this address was sufficient.

Vice Mayor Brown also asked for additional details regarding how the Planning and Zoning Board had discussed the issue of a site plan versus conditional use. John Lanata,

representing the Planning and Zoning Board, advised that the Board had wanted the Commission to be able to enforce the regulations applicable to the marina, which they believed could be more easily done through a conditional use permit than a site plan; however, their eventual determination was that this could be achieved through site plan approval.

Town Manager Bentley advised that the Commission should hear any details of a proposed pump-out station during the site plan process rather than attempting to include them as part of the Ordinance. The property owner is not opposed to the requirement of such a facility, although it would be his preference to make it a public facility, as this would allow him to fund the station with grant monies.

Commissioner Vincent recalled that the attorney representing the marina had pointed out there have been no complaints of sewage or citations of other violations in the canal. For this reason, he was not certain the Commission should require a pump-out facility be included with a site plan. Commissioner Oldaker added that he was opposed to opening a pump-out station to the public, as the marina is located in a residential neighborhood and a public pump-out facility could be overwhelmed. Commissioner Sokolow asserted that he did not feel the Ordinance itself should oversee these details of the marina's design, although the marina should be required to include a pump-out station as well as to address various Code violations.

Commissioner Sokolow made a motion to approve the Item upon second reading.

Town Attorney Trevarthen observed that lines 605-606 of the proposed Ordinance would require the marina to specify the type of marine sanitary system it would use as part of the site plan process and make this system available to the general public.

Commissioner Sokolow amended his motion to require removal of this language, as well as to add language to line 118 as previously discussed. [The motion died for lack of second.]

Mayor Sasser made a motion, seconded by Commissioner Sokolow to approve the Item upon second reading, with the addition of conditional use rather than site plan approval and additional language to line 118 as previously discussed.

Development Services Director Connors pointed out that conditional uses are included in a different section of Code from site plan approval, which would require significant change to the Ordinance as currently written. Town Attorney Trevarthen recommended tabling the Item and bringing it back with the necessary changes.

Commissioner Vincent asked if it would be possible to make a pump-out facility available to residents along the canal but not open to the general public. Town Attorney Trevarthen observed that this would involve making the marina responsible for policing use of the

facility. She concluded that this may be legally permissible. Commissioner Sokolow advised that he would be in favor of this change.

Commissioner Sokolow withdrew his second of Mayor Sasser's motion. [The motion died for lack of second.]

Commissioner Sokolow made a motion, seconded by Commissioner Oldaker, to table the Item until May 10, 2016, with Staff to bring back revisions regarding the addition of language to line 118 and revisions regarding the conditional use and site plan processes.

The Commissioners also agreed by consensus to direct Staff to bring back an Ordinance including conditional use.

Motion carried 5-0.

16. RESOLUTIONS – PUBLIC COMMENTS

- a. **Resolution 2016-14 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, BROWARD COUNTY, FLORIDA, IMPOSING A ONE CENT PER DOLLAR LOCAL GOVERNMENT INFRASTRUCTURE SURTAX ON ALL AUTHORIZED TAXABLE TRANSACTIONS OCCURRING WITHIN BROWARD COUNTY, FLORIDA, AS AUTHORIZED BY SECTION 212.055(2), FLORIDA STATUTES, PROVIDING THAT THE IMPOSITION OF THE SURTAX SHALL NOT BE EFFECTIVE UNLESS APPROVED AT A REFERENDUM ELECTION; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE BEGINNING JANUARY 1, 2017 AND SHALL CONTINUE UNTIL REPEALED; PROVIDING FOR DISTRIBUTION OF SURTAX REVENUES PURSUANT TO LAW; DIRECTING THE SUPERVISOR OF ELECTIONS TO HOLD A REFERENDUM ELECTION ON NOVEMBER 8, 2016; PROVIDING BALLOT LANGUAGE AND A BRIEF DESCRIPTION OF INFRASTRUCTURE CAPITAL PROJECTS; PROVIDING FOR ADOPTION OF A RESOLUTION DETAILING PROJECT EXAMPLES; PROVIDING FOR PUBLIC DISTRIBUTION OF THIS RESOLUTION; DIRECTING THE TOWN CLERK TO ADVERTISE THE SPECIAL REFERENDUM ELECTION IN ACCORDANCE WITH STATE LAW OR COORDINATE SUCH ADVERTISEMENT IN ACCORDANCE WITH STATE LAW WITH THE SUPERVISOR OF ELECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE (Vice Mayor Mark Brown)**

At this time Mayor Sasser opened public comment, which he closed upon hearing no input.

Vice Mayor Brown advised that municipalities representing over 50% of the Broward County population have already voted to place this Item on the ballot for referendum in November. The municipalities hope to stake out a position through which they may bargain effectively with the County regarding the distribution and use of surtax revenue to the cities. He characterized this as a regional transportation issue, and emphasized that a vote in favor of the Resolution does not represent a vote to impose a tax.

Commissioner Sokolow expressed concern with the language of the Resolution. Town Attorney Trevvarthen explained that State Statutes require all County municipalities to adopt identical Resolutions in order to move an infrastructure surtax forward to referendum. The Resolution was drafted to apply County-wide.

Commissioner Oldaker made a motion, seconded by Vice Mayor Brown, to approve. Motion carried 5-0.

- b. Resolution 2016-15 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPOINTING RALPH “BUD” BENTLEY AS TOWN MANAGER; APPROVING THE EMPLOYMENT AGREEMENT BETWEEN RALPH “BUD” BENTLEY AND THE TOWN OF LAUDERDALE-BY-THE-SEA ATTACHED HERETO AS EXHIBIT “A”; PROVIDING FOR REPEAL OF ANY CONFLICTING RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (Mayor Scot Sasser)**

Mayor Sasser stated that he had negotiated a contract with Town Manager Bentley similar to the contract between the Town and former Town Manager Connie Hoffmann. The contract was negotiated amicably.

At this time Mayor Sasser opened public comment, which he closed upon hearing no input.

Commissioner Sokolow made a motion, seconded by Commissioner Vincent, to approve. Motion carried 5-0.

- c. Resolution 2016-16 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA; APPOINTING AN ACTING TOWN MANAGER TO SERVE IN THE EVENT THE TOWN MANAGER IS ABSENT OR DISABLED; PROVIDING FOR REPEAL OF ANY CONFLICTING RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (Bud Bentley, Town Manager)**

At this time Mayor Sasser opened public comment, which he closed upon hearing no input.

Commissioner Oldaker made a motion, seconded by Commissioner Vincent, to approve. Motion carried 5-0.

- d. Resolution 2016-17 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR THE APPOINTMENT OF A BOARD OF ADJUSTMENT ALTERNATE MEMBER; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (Tedra Smith, Town Clerk)**

At this time Mayor Sasser opened public comment, which he closed upon hearing no input.

Commissioner Vincent made a motion, seconded by Commissioner Sokolow, to appoint Ron Piersante as second alternate to the Board of Adjustment. Motion carried 5-0.

17. QUASI JUDICIAL PUBLIC HEARINGS

None.

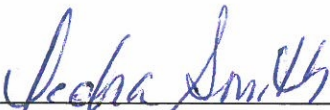
18. ADJOURNMENT

With no further business to come before the Commission at this time, the meeting was adjourned at 9:45 p.m.



Vice Mayor Mark Brown

ATTEST:



Town Clerk Tedra Smith



Date

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Sasser, Scot</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Town Commission</i>
MAILING ADDRESS <i>4501 N. Ocean Drive</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Town of Lauderdale-by-the-Sea</i>	COUNTY <i>DADE</i>
DATE ON WHICH VOTE OCCURRED <i>April 26, 2010</i>	NAME OF POLITICAL SUBDIVISION: <i>Mayor</i>
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Scot Sasser, hereby disclose that on April 26, 20 16:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ___ inured to the special gain or loss of my business associate, _____;
- ___ inured to the special gain or loss of my relative, _____;
- ___ inured to the special gain or loss of _____, by
whom I am retained; or
- ___ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*My house is within 50 yards of the house at issue. Could
affect property value.*

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

